IN RE: PETITION FOR ZONING VARIANCE
E/S Deer Par, 967 ft. +/N of Dolfield Road
4805 Deer Park Road
4th Election District
3rd Councilmanic District

James P. Goff, et ux

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 90-495-A

The Petitioners herein request a variance from Section 400.3 to permit an accessory structure (garage) with a 22 ft. height in lieu of the maximum permitted 15 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petiticner, James P. Goff, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 4805 Deer Park Road, consists of .95 acres +/-, zoned R.C.5 and is currently improved with an existing single family dwelling, several accessory sheds and the subject garage.

The Petitioner testified that he owns two antique automobiles that he stores in the subject garage. He testified that he does no restoration work on the vehicles, and merely constructed the garage to keep the vehicles out of the elements.

The Petitioner further testified that he applied for and received a building permit for a garage and subsequently purchased a "garage package" from 84 Lumber. He testified that he was not aware that the standard 22 foot height of the pre-packaged garage was beyond the height permitted by

of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare

of the public. Furthermore, strict compliance with the B.C.Z.R. would

result in practical difficulty and/or unreasonable hardship upon the Peti-

Based upon the testimony and evidence presented at the hearing, all

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23 day of 1990 that the Petition for a Zoning Variance to permit an accessory structure (garage) with a 22 ft. height in lieu of the maximum permitted 15 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

2. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

O D C cc: Peoples Counsel

A. ROBERT HAINES
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

July 19, 1990



Mr. and Mrs. James P. Goff 4805 Deerpark Road Owings Mills, Maryland 21117

RE: Petition for Zoning Variance
Case No. 90-495-A

Dear Mr. and Mrs. Goff:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

J. Robert Haines

JRH:mmn encl.

cc: Peoples Counsel

Petition for Zoning Vanance
Case number: 90-495-A
E/S Deer Park, 967' ± N of
Dolfield Road
4805 Deer Park Road
4th Election District
3rd Councilmanic
Petitioner(s);
James P. Goff, et ux
Hearing Date: Tuesday,
July 10, 1990 at 2:00 p.m.

[ariance: to permy an

The Zoning Commissioner of Baltimore County, by authority of

the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of

the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204

Petition for Zoning Variance Case number: 90-495-A E/S Deer Park, 967' ± N of

Dolfield Road 4805 Deer Park Road 4th Election District

maximum permitted 15 ft. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing

and received in this office by the date of the hearing set above or presented at the hearing.

O/J 5/455 May 31.

J. ROBERT HAINES

90-495-4

BEGINNING AT A POINT IN THE CENTER OF DEER PARK RD OT A DISTANCE OF 967± FT NORTH OF DOLFIELD RD. THENCE THE FOLLOWING COURSES AND DISTANCES

Zoning Discription

Zoning Discription

Zoning Discription

Zoning Press west tenfeet and neath

seventeen degrees fifteen minutes west ninety seven and

seventy seven one-hundredths feet and North seventy degrees

seventy seven one-hundredths feet and North seventy

fifty eight minutes East three hundred fourteen and seventy

four one-hundreths feet to an iron pipe South fourteen degrees

five minutes thirty seconds East one-hundred fifty nine and

five minutes thirty seconds East one-hundred fifty nine and

degrees twenty-seven minutes west three hundred ten

degrees twenty-seven minutes west three hundred ten

degrees twenty four one-hundredths feet to the place of beginning

and seventy four one-hundredths feet to the place of beginning

containing ninesy five one-hundreths of an Acre more or less

Locaten in the 04 Election Dist. Zoned-R.C.S

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Townen, Maryland

District 4th.	Date of Posting June 19, 1990. Let up Who are the Dolfield Road. and
Posted for: Variance	······································
Paritioner James P. Golf	et ud
Fediconer C. 16 Dona P	rak 967 71 A Dollield Road.
4805 Deer Park Ron	ad
In Garter &	4805 Deer Park Road
Location of Signs:	
Remarks:	
Posted by Signature	Date of return: June 22, 1998

Baltimore County	ldiesel:
Zoning Commisioner County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204	Account: R-001-6150 NC 2160
Date	
4/17/90	140000365
1 PUBLIC HEARING FEES	PRICE
010 -ZONING VARIANCE (IR	TOTAL: \$35.00
LAST NAME OF GUNERI GOFF	
	DBSeessassDO:8 3178F make checks payable to: Battimore County

CERTIFICATE OF PUBLICATION

OWINGS MILLS TIMES,

Publisher Publisher

PG 104528

CERTIFICATE OF PUBLICATION

THE JEFFERSONIAN,

5. Zehe Orlan



PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: Q0-495-A The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.3 To permit an accessory structure (garage) with a 22 foot height in lieu of the maximum permitted 15 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) TO BE ESTABLISHED AT HEARING 2. 474 Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): IAMES P. GOFF (Type or Print Name) (Type or Print Name) SANDRA L. GOFF (Type or Print Name) Attorney for Petitioner OWINGS MILLS Md 21117 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Attorney's Telephone No.: ORDERED By The Zoning Commissioner of Baltimore County, this day of _______, 19_6, that the subject matter of this petition be advertised, as required by the Zoming Law of Bakimore County, in two newspapers of general circulation throughany Time OR DAY I HR HRNG- TIME.

Ballimore County

Zening Commissioner
Count Office Building
11 Bast througheste Avenue
Sousson, Marsland 21204

Date

Da

Please make checks payable to Raisimore County

VIOLATION

Mr. & Mrs. James P. Goff

4805 Deer Park Road

J. Robert Haines

Dennis F. Rasmussen County Executiva

Owings Mills, Maryland 21117 Petition for Zoning Variance CASE NUMBER: 90-495-A E/S Deer Park, 967'± N of Dolfield Road 4805 Deer Park Road 4th Election District - 3rd Councilmanic

Petitioner(s): James P. Goff, et ux

TUESDAY, JULY 10, 1990 at 2:00 p.m.

Dear Mr. & Mrs. Goff:

Please be advised that $\frac{105.46}{1000}$ is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)

RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY

UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Dffice Building. 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Zoning Commissioner

May 21, 1990



Mr. & Mrs. James P. Goff 4805 Deer Park Road Owings Mills, Maryland 21117

Re: Case Numbers: 90-495-A Petitioner: James P. Goff, et ux Location: 4805 Deer Park Road

Dear Mr. & Mrs. Goff:

Please be advised that due to scheduling conflicts beyond our control, the above matter, previously set to be heard on Friday, June 29, 1990 cannot go forward on that date.

This case has been rescheduled for TUESDAY, JULY 10, 1990 at 2:00 p.m.

This office regrets any inconvenience caused by this change and thanks you for your cooperation and understanding.

Very truly yours,

Re: Case Numbers: 90-493-A, 90-494-A, and 90-495-A

Matters postponed due to conflict with Mrs. Nastarowicz's schedule. Her docket is presently loaded with matters unable to be heard by JRH, making her next available date July 25, 1990.

These cases may be set before either Hearing Officer and, therefore, have been reset for JRH on the next available docket date - July 10,

90-495-A

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer DATE: April 17, 1990 Zoning Supervisor

FROM: James H. Thompson Zoning Enforcement Coordinator

RE: ltem No. 362 Petitioner: Goff

VIOLATION CASE # C-90-168

LOCATION OF VIOLATION 4805 Deer Park Road

DEFENDANT James P. & Sandra Lee Goff

ADDRESS 4805 Deer Park Road Owings Mills, Maryland 21117

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

May 10, 1990



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance CASE NUMBER: 90-495-A E/S Deer Park, 967'± N of Dolfield Road 4805 Deer Park Road 4th Election District - 3rd Councilmanic Petitioner(s): James P. Goff, et ux HEARING: FRIDAY, JUNE 29, 1990 at 2:00 p.m.

-

<u>Variance:</u> To permit an accessory structure (garage) with a 22 ft. height in lieu of the maximum permitted 15 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permi during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Zoning Commissioner of Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

June 18, 1990



RE: Item No. 362, Case No. 90-495-A Petitioner: James P. Goff, et ux Petition for Zoning Variance

Dear Mr. & Mrs. Goff:

Mr. & Mrs. James P. Goff

Owings Mills, MD 21117

4805 Deerpark Road

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

> Very truly yours, Zoning Plans Advisory Committee

Enclosures

JED:jw

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner



Dennis F. Rasmussen

Your petition has been received and accepted for filing this 9th day of May, 1990.

> W. ROBERT HAINES ZONING COMMISSIONER

Received By:

Zoning Plans Advisory Committee

Petitioner: James P. Goff, et ux Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

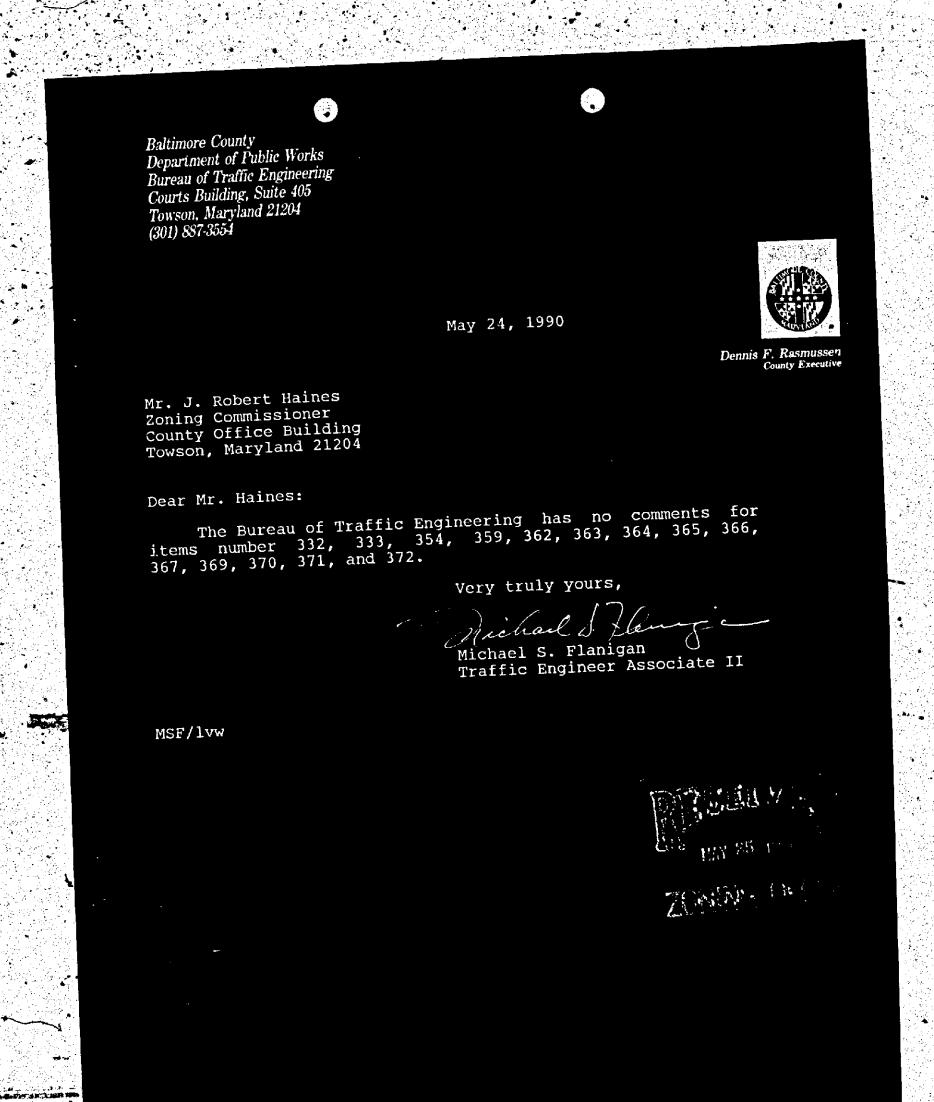
Pat Keller, Deputy Director Office of Planning and Zoning SUBJECT: James P. Goff, et ux, Item 362

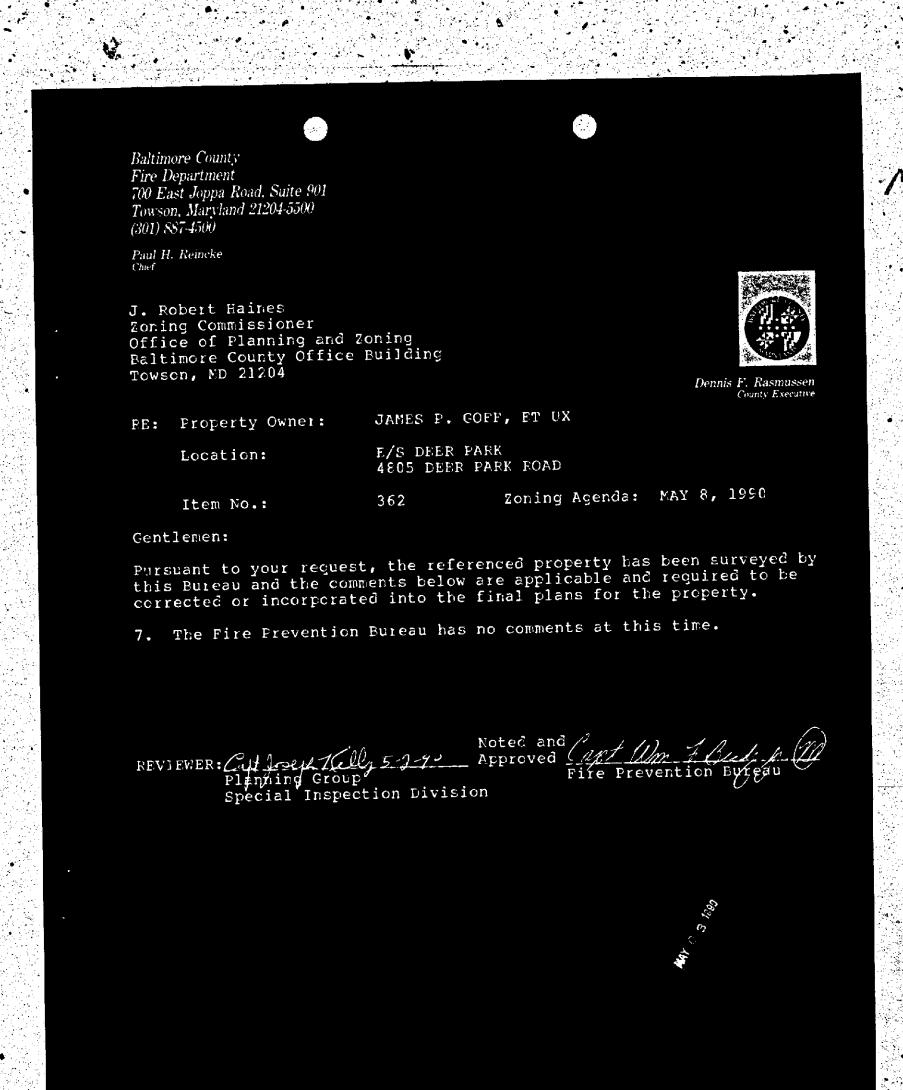
The Petitioner requests a Variance to accessory structure height requirements. In reference to this request, staff offers no comments.

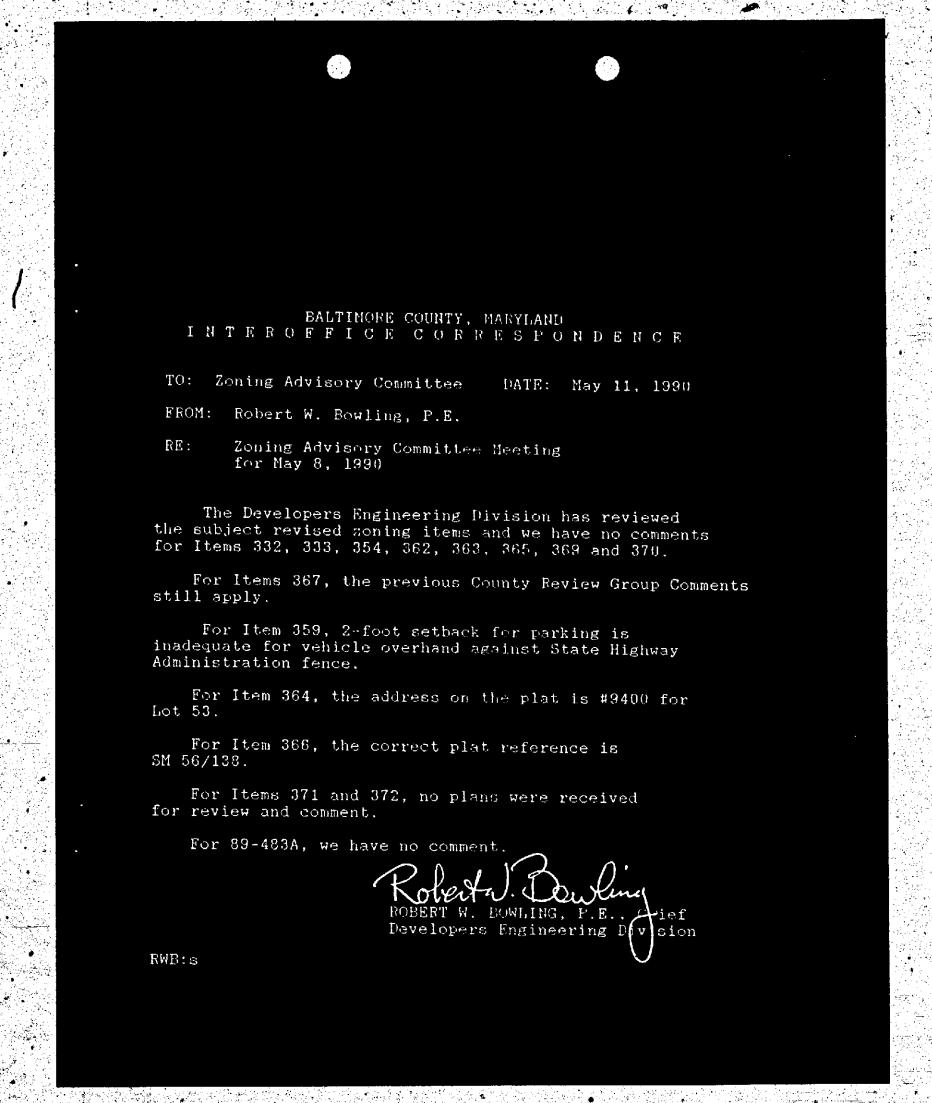
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

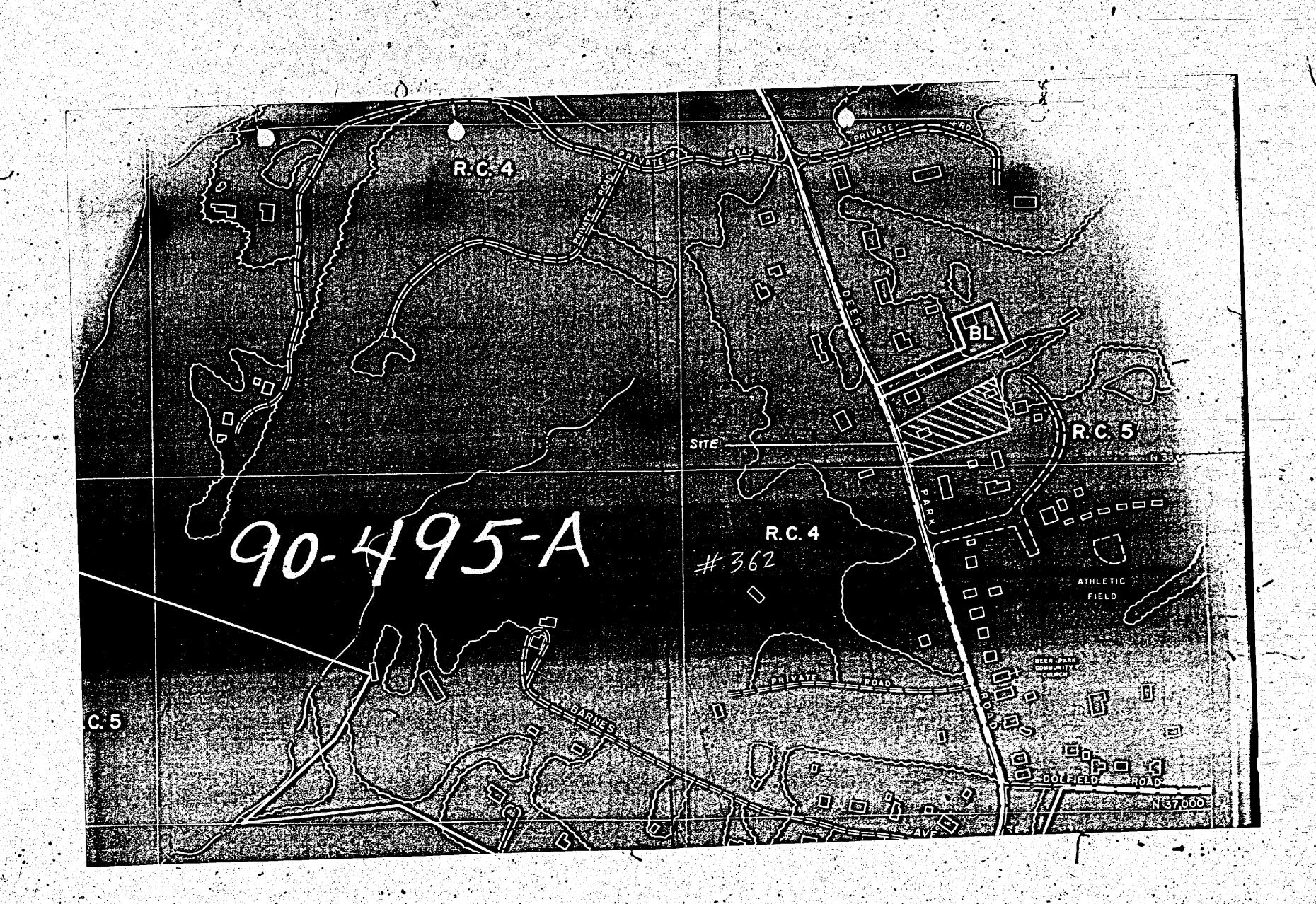
PK/JL/cmm

DATE: April 26, 1990









TO: Baltimore County Zoning Office

DATE: July 1, 1990

SUBJECT: Case No. 90-495-A 4805 Deer Park Road Owings Mills, MD 21117

The undersigned property owners residing adjacent to and nearby the residence of Mr. & Mrs. Jares Goff hereby state that they have no objection whatsoever to the zoning variance regarding the height of a separate garage dwelling at the above address. They may be contacted to verify same.

NAME: ADDRESS: PHONE:

David & Elizabeth Hagen 4800 Deer Park Rd. 655-1420

Dat S. Harry

Elizabeth B. Nagen

Nick Spealman 4807 Deer Park Rd. 52/-2835

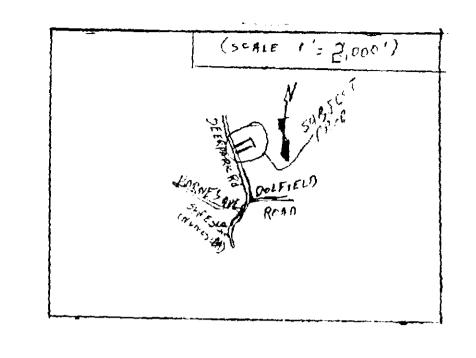
Per Rex Bestoy

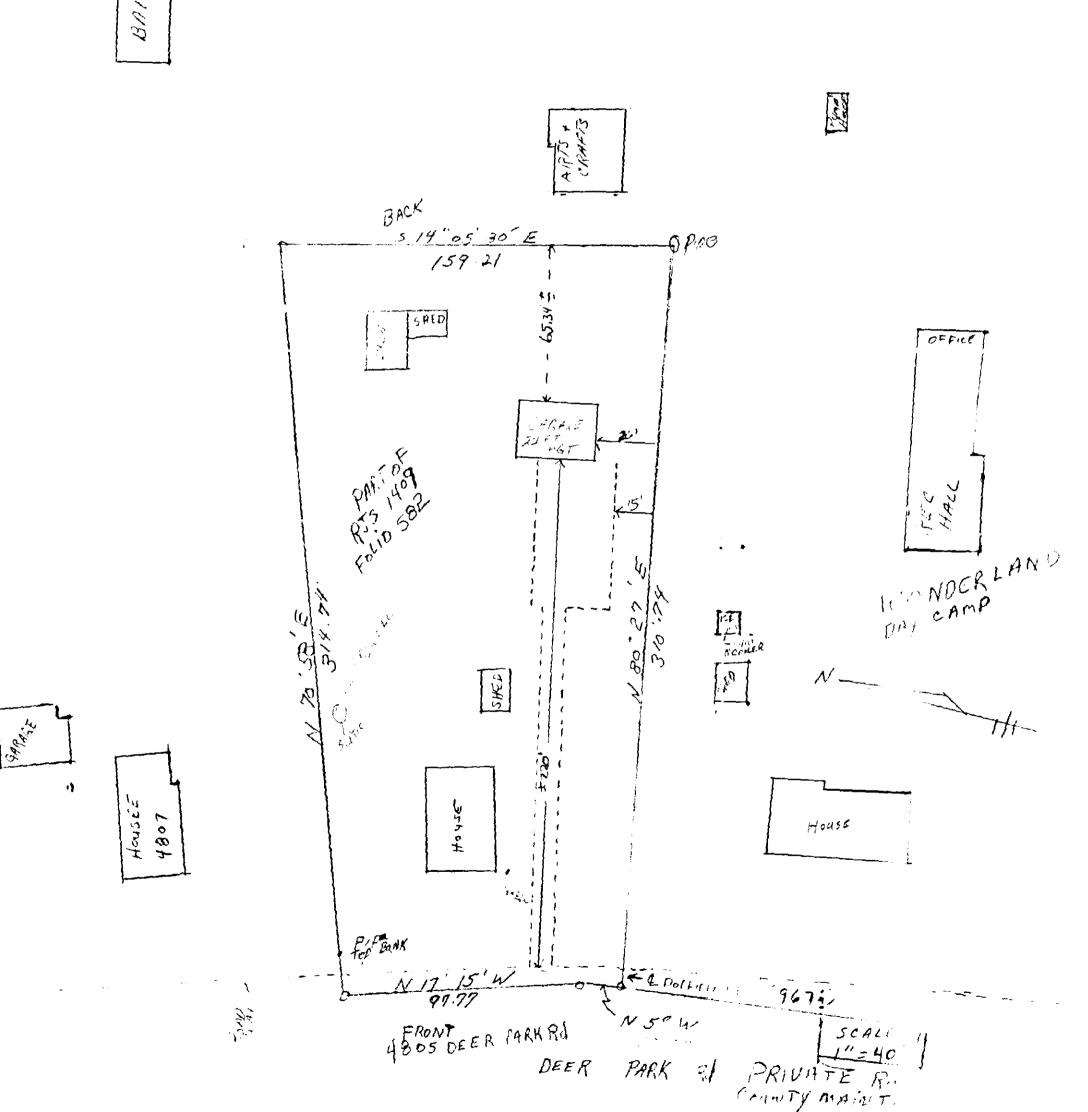
Leroy & Joan Baxter 4806 Deer Park Rd.

Sodny Troson (055-0. 4729 Deer Parks Ro

PETITIONER'S
EXHIBIT 2

90-495A





PETITIONER'S EXHIBIT 1

90-495-A

PLAT FOR ZONING VARIANCE
OWNER JAMES + SANDRY GOFF
DISTRICT-O4 ZONED RC5
SUBDIVISION-E.S. DEER PARK Rd
LIBER - 5931 - PAGE 334
EXPER - 5931 - PAGE 334
EXISTING PUBLIC UTILITIES - PRIVATE
EXISTING PUBLIC UTILITIES - PRIVATE
RICHTOF WAY PROPIN ROAD ROAD PRIVATE COUNTY MAINT.
RICHTOF WAY PROPIN ROAD ROAD PRIVATE COUNTY MAINT.

J. 96.